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# 11

Patent  
Attorney's Docket No. 032751-066

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of )  
 )  
Pierre LEROY ) Group Art Unit: 2171  
 )  
Application No.: 09/927,933 ) Examiner: Unassigned  
 )  
Filed: August 13, 2001 ) Confirmation No.: 6916  
 )  
For: NOVEL IMPLANT AND NOVEL )  
VECTOR FOR THE TREATMENT OF )  
ACQUIRED DISEASES )

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NOV 26 2002  
TECH CENTER 1600/2900

REPLY TRANSMITTAL LETTER

Assistant Commissioner for Patents  
Washington, D.C. 20231

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NOV 22 2002  
Technology Center 2100

Sir:

Enclosed is a reply for the above-identified patent application.

- ☐ A Petition for Extension of Time is also enclosed.
- ☐ A Terminal Disclaimer and a check for ☐ \$55.00 (2814) ☐ \$110.00 (1814) to cover the requisite Government fee are also enclosed.
- ☒ Also enclosed is Copy of Notice to Comply
- ☐ Small entity status is hereby claimed.
- ☐ Applicant(s) request continued examination under 37 C.F.R. § 1.114 and enclose the ☐ \$370.00 (2801) ☐ \$740.00 (1801) fee due under 37 C.F.R. § 1.17(e).
- ☐ Applicant(s) previously submitted \_\_, on \_\_, for which continued examination is requested.
- ☐ Applicant(s) request suspension of action by the Office until at least \_\_, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.
- ☐ A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (146/246) is also enclosed.
- ☒ No additional claim fee is required.

☐ An additional claim fee is required, and is calculated as shown below:

A M E N D E D   C L A I M S					
	NO. OF CLAIMS	HIGHEST NO. OF CLAIMS PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	ADDT'L FEE
Total Claims		MINUS =		× \$18.00 (1202) =	
Independent Claims		MINUS =		× \$84.00 (1201) =	
If Amendment adds multiple dependent claims, add \$280.00 (1203)					
Total Amendment Fee					
If small entity status is claimed, subtract 50% of Total Amendment Fee					
TOTAL ADDITIONAL FEE DUE FOR THIS AMENDMENT					

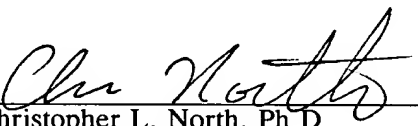
☐ A claim fee in the amount of \$\_\_\_\_\_ is enclosed.

☐ Charge \$\_\_\_\_\_ to Deposit Account No. 02-4800.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

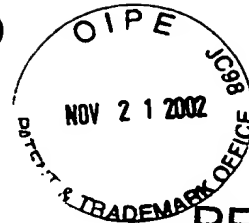
Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By:   
Christopher L. North, Ph.D.  
Registration No. 50,433

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

Date: November 21, 2002



## **APPLICATION SERIAL NUMBER**

**09/927,933**

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**DOES NOT COMPLY WITH THE SEQUENCE RULES.**

**See reasons below:**

No sequence identifier, separate paper listing and computer readable form of sequence listing for sequences listed in figure 7.

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REPLY

Technology Center 2100

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the formalities letter mailed October 24, 2002 presenting a Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/or Amino Acid Sequence Disclosures, Applicants offer the following remarks.

In an attachment to the formalities letter, the reason for the Notice To Comply is given as follows: "No sequence identifier, separate paper listing and computer readable form of sequence listing for sequences listed in Figure 7."

The Notice To Comply appears to be in error. The subject Application was filed on August 13, 2002 as a continuation of Application Serial No. 08/809,110, filed on March 31, 1997. Submitted with the present Continuation Application were a Preliminary Amendment presenting a paper copy of the Sequence Listing and a Request to Use the Computer Readable Form from the Parent Application Pursuant to 37 C.F.R. §1.821(e).

Therefore, both paper and computer readable forms have been submitted in the present application as required by 37 C.F.R. §§1.821-1.825.

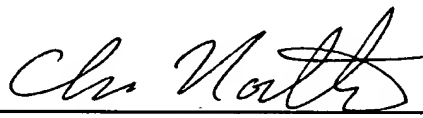
With respect to the sequences disclosed in Figure 7, these are four primers designated OTG7094, OTG7095, OTG7096 and OTG7097. A comparison of these sequences to the Sequence Listing will show that these sequences are in fact represented by SEQ ID NOS: 13, 14, 15, and 16, respectively. These sequences are identified by reference to the Sequence Listing in the description of Figure 7 in the text of the Specification at page 33, line 11 to page 34, line 3, in accordance with 37 C.F.R. §1.821(d).

In view of the foregoing, it is believed that the requirements of rules 37 C.F.R. §§1.821 to 1.825 have been met. Should there be any questions regarding the present Reply, a telephone call to the undersigned is respectfully requested so that prosecution of the subject application may be expedited.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: \_\_\_\_\_



Christopher L. North, Ph.D.  
Registration No. 50,433

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